

BOB GOODLATTE, Virginia
CHAIRMAN

F. JAMES SENSENBRENNER, JR., Wisconsin
HOWARD COBLE, North Carolina
LAMAR SMITH, Texas
STEVE CHABOT, Ohio
SPENCER BACHUS, Alabama
DARRELL E. ISSA, California
J. RANDY FORBES, Virginia
STEVE KING, Iowa
TRENT FRANKS, Arizona
LOUIE GOHMERT, Texas
JIM JORDAN, Ohio
TED POE, Texas
JASON CHAFFETZ, Utah
TOM MARINO, Pennsylvania
TREY GOWDY, South Carolina
MARK E. AMODEI, Nevada
RAÚL R. LABRADOR, Idaho
BLAKE FARENTHOLD, Texas
GEORGE HOLDING, North Carolina
DOUG COLLINS, Georgia
RON DeSANTIS, Florida
KEITH J. ROTHFUS, Pennsylvania

JOHN CONYERS, JR., Michigan
RANKING MEMBER

JERROLD NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, JR., Georgia
PEDRO R. PIERLUISI, Puerto Rico
JUDY CHU, California
TED DEUTCH, Florida
LUIS V. GUTIERREZ, Illinois
KAREN BASS, California
CEDRIC L. RICHMOND, Louisiana
SUZAN K. DELBENE, Washington
JOE GARCIA, Florida
HAKEEM S. JEFFRIES, New York

ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

March 1, 2013

The Honorable Paul Ryan
Chairman
Committee on the Budget
207 Cannon House Office Building
Washington, D.C. 20515

The Honorable Chris Van Hollen
Ranking Member
Committee on the Budget
B71 Cannon House Office Building
Washington, D.C. 20515

Dear Chairman Ryan and Ranking Member Van Hollen,

Pursuant to section 301(d) of the Congressional Budget Act of 1974 (2 U.S.C. 632(d)) and House Rule X, clause 4(f)(1), we are submitting the views and estimates of the Committee on the Judiciary for Fiscal Year 2014. These views and estimates encompass a broad range of programs within the Judiciary Committee's jurisdiction. Regrettably, the Committee had to develop these views in the absence of the critical information that comprises the President's budget request. Nevertheless, we hope that these views and estimates provide valuable guidance to your Committee as you prepare the budget resolution. We note that, while this document reflects the views of the Members of this Committee, some Members may have individual views that are not reflected in this document. Please feel free to contact us or our staffs should you have any questions or concerns.

Sincerely,



Bob Goodlatte
Chairman



John Conyers, Jr.
Ranking Member

Discretionary Spending

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

General Administration (GA) supports the Attorney General and the Department of Justices' senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

The Department Leadership decision unit includes the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice. Intergovernmental Relations and External Affairs includes the Offices of Public Affairs, Legislative Affairs and Tribal Justice. Executive Support and Professional Responsibility includes the Offices of Legal Policy, Professional Responsibility, Information Policy and the Professional Responsibility Advisory Office. Finally, the Justice Management Division provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration, ensures compliance by DOJ components with departmental and other federal policies and regulations, and provides a full range of management and administration support services.

The level of firearms violence in this country remains an urgent issue. Recognizing the importance of prosecuting individuals who illegally obtain or possess—or attempt to obtain or possess—firearms, the Committee expects DOJ to intensify its efforts to ensure that firearms are kept out of the hands of those individuals who are prohibited by law from possessing them.

Additionally, the Committee continues to express bipartisan concern about past investigations that allowed gun walking and opposes the use of federal funds to use this tactic in the future.

With the recognition that budgetary restraints could impact funding, the Committee supports funding GA at a level that will enable it to accomplish its mission.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

The Executive Office for Immigration Review (EOIR) contains the corps of Immigration Judges, the Board of Immigration Appeals, and the Office of the Chief Administrative Hearing Officer. EOIR presides over administrative immigration hearings such as removal, bond, and employer sanctions proceedings.

The Committee recognizes that EOIR's immigration court case backlogs have continued to grow, lengthening case adjudication times. The Committee also supports funding of Legal Orientation Programs for detained noncitizens at a level necessary to accomplish the goals of the program.

Timely and fair adjudication of cases in immigration courts is an essential part of effective immigration enforcement. Funding for EOIR personnel and programs must keep pace with other immigration enforcement activities in order for the entire immigration enforcement system to function properly. With the recognition that budgetary restraints could impact funding, the Committee recommends that EOIR be funded at a level that will enable it to achieve these goals.

OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General (OIG) is an independent office within the Department of Justice that is charged with investigating allegations of fraud, waste, abuse, and misconduct by DOJ employees, contractors, and grantees and promoting economy and efficiency in DOJ operations.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the OIG at a level that will allow it to sustain the number of audits, investigations, and special reviews it conducts annually to help assure Congress and the taxpayers that the substantial funding to DOJ is used efficiently, effectively, and for its intended purposes.

GENERAL LEGAL ACTIVITIES

Office of the Solicitor General

The Office of the Solicitor General supervises and processes all appellate matters and represents the United States and federal agencies in the Supreme Court. The FY 2013 Presidential Budget Request proposed \$10.805 million for the Office of the Solicitor General. This represented a net increase of \$81,000 over FY 2012 appropriations as enacted. This increase was the sum of increases of \$312,000 in Adjustment to Base (ATB) transfers, pay and benefits, and rent and facilities expenses, and a savings of \$231,000 from consolidation of administrative functions. The Committee considers the work of the Solicitor General an important element of the role played by DOJ. In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding the Solicitor General's office at a level necessary to accomplish its mission.

Tax Division

The Tax Division represents the United States in virtually all litigation arising under the internal revenue laws. This work includes both a civil component as well as assistance to U.S. Attorneys in prosecuting criminal tax violations. In addition, the Division's attorneys lend their financial crimes expertise to the enforcement of other laws with financial aspects.

The President requested \$106.459 million for the Tax Division for FY 2013, an increase of \$1.582 million over its FY 2012 enacted funding level. In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding the Tax Division at levels necessary to accomplish its mission, but

notes that every additional dollar provided to the Tax Division will result in many additional dollars being recovered for the Treasury.

Criminal Division

The Criminal Division is responsible for supervising the application of all federal criminal laws except those specifically assigned to other divisions. Its mission is to identify and respond to critical and emerging national and international criminal threats, and to lead the enforcement, regulatory, and intelligence communities in a coordinated, nationwide response to reduce those threats. The Division provides expert guidance and advice to U.S. Attorneys and other federal, state, and local prosecutors and investigative agencies, as well as foreign criminal justice systems. It also oversees the use of the most sophisticated investigative tools available to federal law enforcement, including all federal electronic surveillance requests in criminal cases, and secures the return of fugitives and other assistance from foreign countries.

In addition to other initiatives, the Criminal Division uses its resources to prosecute the most significant financial crimes, including mortgage fraud, corporate fraud, and sophisticated investment fraud; coordinate multi-district financial crime cases; and assist U.S. Attorneys' Offices in financial crime cases with significant money laundering and asset forfeiture components.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the Criminal Division at a level necessary to accomplish its various missions.

Civil Division

The Civil Division represents the United States, its departments and agencies, Members of Congress, Cabinet officers, and other federal employees in litigation in federal and state courts. Each year it successfully defends the United States against billions of dollars in unmeritorious claims. In its affirmative litigation, the Division brings suits on behalf of the United States, primarily to recoup money lost through fraud, loan defaults, and the abuse of federal funds. As a result of the work of the Civil Division, hundreds of millions of dollars are returned to the treasury, Medicare, and other programs annually.

For FY 2013, the Administration requested \$298.040 million for the Civil Division. This represented a net increase of \$14.937 million over FY 2012 appropriations as enacted. This increase was the sum of increases of \$8.199 million in ATB transfers, pay and benefits, and rent and facilities expenses, \$7 million in new Full-Time Equivalent work years (FTEs) for financial and mortgage fraud matters, and savings of \$262,000 in information technology and \$33,000 in foreign expenses. The Administration's request also included five positions and \$1 million in supplemental annualization funds for litigation related to the Deepwater Horizon oil spill. The Committee considers the work of the Civil Division important to the mission of DOJ. In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding the Civil Division at a level necessary to accomplish its mission.

Environment and Natural Resources Division

The Environment and Natural Resources Division (ENRD) enforces the Nation's civil and criminal environmental laws; defends environmental challenges to federal laws and actions; and performs a variety of other important legal activities related to the environment and our nation's natural resources. ENRD's responsibilities include litigating disputes under the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), and the Endangered Species Act; defending against environmental challenges to federal programs and activities; representing the United States in matters concerning the protection, use, and development of national natural resources and public lands; and litigating on behalf of individual Indians and Indian tribes.

The President's budget for FY 2013 requested \$110.360 million for ENRD. This represented a net increase of \$2.351 million over FY 2012 appropriations as enacted. This increase was the sum of increases of \$2.435 million in ATB transfers, pay and benefits, and rent and facilities expenses, and savings of \$84,000 in information technology. Increases requested include a \$795,000 adjustment to base funding for litigation related to the Deepwater Horizon oil spill. This adjustment was requested to provide permanent base funding for ENRD. In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding ENRD at a level necessary to accomplish its mission.

Civil Rights Division

The Civil Rights Division is responsible for enforcing federal statutes guaranteeing every American's civil rights and prohibiting discrimination on the basis of race, sex, disability, religion, and national origin. The Division enforces federal laws that protect every Americans' civil rights and freedom from discrimination in education, employment, credit, housing, certain federally funded and conducted programs, and voting.

The Division has eleven sections: Appellate, Coordination and Review, Criminal, Disability Rights, Educational Opportunities, Employment Litigation, Housing and Civil Enforcement, Office of Special Counsel for Immigration Related Unfair Employment Practices, Special Litigation, Administrative Management, and Voting.

Recognizing current budgetary constraints, the Committee supports funding the Civil Rights Division at a level necessary to accomplish its various missions.

INTERPOL Washington

INTERPOL Washington facilitates cooperation and information sharing among police agencies in different countries. It is the link between more than 18,000 federal, state, and local law enforcement authorities and the 187 other member countries for INTERPOL-related matters. The main goals of INTERPOL Washington are facilitating international law enforcement cooperation; transmitting information of a criminal justice, humanitarian or other law enforcement related nature between law enforcement agencies; responding to law enforcement

requests; coordinating and integrating information for investigations of an international nature, and identifying patterns and trends in criminal activities. INTERPOL Washington also actively screens all inbound international flights for passports that are reported as lost or stolen to INTERPOL and generates over 200 hits monthly that require human analysis.

The Committee supports INTERPOL Washington's continued efforts to enhance information sharing amongst international police authorities. Recognizing current budgetary constraints, the Committee supports funding INTERPOL Washington at a level allowing it to achieve its mission.

ANTITRUST DIVISION

The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles. In addition to enforcing the antitrust laws, the Antitrust Division also acts as an advocate for competition, seeking to promote competition in sectors of the economy that are or may be subject to government regulation.

The Administration requested \$164.753 million for the Antitrust Division in FY 2013, an increase of \$5.166 million from FY 2012 funding levels. Mandatory pre-merger filing fees paid by companies planning to merge are typically used to offset a majority of the Antitrust Division's funding. The Antitrust Division estimated receipt of \$117.5 million in filing fees in FY 2013. As a result of this fee collection, the Antitrust Division's budget request anticipated an estimated final FY 2013 appropriation from the general fund of \$47.253 million.

In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding the Antitrust Division at levels necessary to accomplish its various missions.

EXECUTIVE OFFICE FOR U.S. ATTORNEYS

There are 94 U.S. Attorneys located throughout the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands. The U.S. Attorneys who lead each office are the chief law enforcement representatives of the Attorney General. Each enforces federal criminal law, handles most of the civil litigation in which the United States is involved, and initiates proceedings for the collection of fines, penalties, and forfeitures owed to the United States. For FY 2014, the Committee expects that U.S. Attorneys will continue to investigate and prosecute the diverse workload of criminal cases brought by the federal Government and will continue to initiate civil actions to assert and protect the interests of the United States.

Recognizing current budgetary constraints, the Committee supports funding the Executive Office for U.S. Attorneys at a level that will allow it to accomplish its mission.

U.S. TRUSTEE PROGRAM

The U.S. Trustee Program is charged with supervising the administration of bankruptcy cases and trustees. Its mission is to protect and preserve the integrity of the U.S. bankruptcy system by regulating the conduct of parties, ensuring compliance with applicable laws and procedures, bringing civil actions to address bankruptcy abuse, securing the just and efficient resolution of bankruptcy cases, and referring bankruptcy crimes for prosecution. The Program is self-funded through user fees paid by participants in the bankruptcy system. The Program's appropriation is offset by fees it collects during the fiscal year. These monies are paid into the U.S. Trustee System Fund. Nearly 60% of the Program's funding is subsidized by quarterly fees paid by Chapter 11 debtors. The remaining funding is derived from a portion of filing fees paid to commence bankruptcy cases, interest earnings, and other miscellaneous revenues.

The President requested \$227.4 million for FY 2013 for the U.S. Trustee Program, which represented a \$4.1 million increase over FY 2012 enacted appropriations. In anticipation that the President will renew or increase his FY 2013 request, and recognizing current budgetary constraints, the Committee supports funding the U.S. Trustee Program at a level necessary to accomplish its mission.

COMMUNITY RELATIONS SERVICE

The Community Relations Service assists State and local governments in quelling conflict arising from differences of race, color, and national origin, and to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion or disability.

Recognizing current budgetary constraints, the Committee supports funding the Community Relations Service at a level necessary to continue performing its mission.

ASSETS FORFEITURE FUND

The Assets Forfeiture Fund (AFF) was established pursuant to the Comprehensive Crime Control Act of 1984. The U.S. Marshals Service (USMS) administers the program by managing and disposing of properties seized by and forfeited to federal law enforcement agencies and U.S. Attorneys nationwide. The AFF is used to receive the proceeds of forfeiture and to pay the costs associated with forfeitures, including the costs of managing and disposing of property, satisfying valid liens, mortgages, and other innocent owner claims, and costs associated with accomplishing the legal forfeiture of the property.

The Attorney General is authorized to use the AFF to pay necessary expenses associated with forfeitures. The Fund may also be used to finance certain general investigative expenses, as those enumerated in 28 U.S.C. § 524(c). All AFF funding is provided through forfeiture activities. \$20.9 million of these funds are scored as discretionary and may be used for non-forfeiture related activities.

U.S. MARSHALS SERVICE

The U.S. Marshals Service (USMS) administers the Assets Forfeiture Program of the Justice Department; conducts investigations involving escaped federal prisoners and other fugitives; ensures safety at judicial proceedings; assumes custody of individuals arrested by all federal agencies; houses and transports prisoners; and manages the Witness Security Program.

In its FY 2013 budget, the Department proposed merging the Office of the Federal Detention Trustee with the USMS. This merger is designed to allow for efficiencies in human and physical capital, while maintaining the functions and expertise in detention management that have been developed over the past decade. This would result in a new account under the U.S. Marshals Service known as Federal Prisoner Detention, and it would fund the housing, transportation, medical care, and medical guard services for federal detainees remanded to USMS custody. The Committee continues to support this merger proposal and, recognizing current budgetary constraints, supports funding the USMS at levels necessary to accomplish its various missions.

OFFICE OF THE FEDERAL DETENTION TRUSTEE

The mission of the Office of the Federal Detention Trustee (OFDT) is to manage and regulate the federal detention programs and the Justice Prisoner and Alien Transportation System. The OFDT coordinates detention strategies and policy with the USMS, the Bureau of Prisons (BOP) and the Department of Homeland Security's Immigration and Customs Enforcement and is led by the Federal Detention Trustee who is appointed by the Attorney General. The FY 2013 Budget proposed to merge the Office of the Federal Detention Trustee with the USMS. The costs associated with the care of federal detainees are proposed to be funded through the USMS—Federal Prisoner Detention appropriation. The Committee continues to support this merger proposal.

NATIONAL SECURITY DIVISION

The National Security Division (NSD) was authorized by Congress in the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177). The NSD consists of the elements of DOJ (other than the Federal Bureau of Investigation) engaged primarily in support of the intelligence and intelligence-related activities of the United States Government, including: (1) the Assistant Attorney General for National Security, (2) the Office of Intelligence Policy and Review, (3) the counterterrorism section, (4) the counterespionage section, and (5) any other office designated by the Attorney General.

The Committee agrees that the National Security Division's workload, including demands brought about by recent national security threats and their expanded oversight responsibilities, has created challenges for maintaining adequate attorney and support personnel staffing. Recognizing current budgetary constraints, the Committee supports funding the National Security Division at a level necessary to carry out its mission.

FEDERAL BUREAU OF INVESTIGATION

The Federal Bureau of Investigation (FBI) is the Nation's largest federal law enforcement agency, charged with investigating terrorism, cybercrimes, public corruption, white-collar crime, organized crime, civil rights violations, and other federal offenses.

Recognizing current budgetary constraints, the Committee supports funding the FBI at levels necessary to achieve its important objectives.

DRUG ENFORCEMENT ADMINISTRATION

The Drug Enforcement Administration (DEA) is the lead federal agency tasked with reducing the illicit supply and abuse of narcotics and drugs through drug interdiction and seizing of illicit revenues and assets from drug trafficking organizations.

Recognizing current budgetary constraints, the Committee supports funding DEA at a level necessary to accomplish its mission.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

The mission of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is to reduce violent crime, prevent terrorism, and protect the United States through enforcing laws and regulating the firearms and explosives industries.

The Committee recognizes the important role that ATF can play in addressing the gaps in information available to the National Instant Criminal Background Check System (NICS) regarding mental health adjudications, commitments and other prohibiting backgrounds. The Committee supports ATF efforts to provide technical assistance to states seeking to establish relief from disability programs under the NICS Improvement Amendments Act of 2007 (NIAA) in order to assist such states in becoming eligible to participate in the NIAA grant program.

Recognizing current budgetary constraints, the Committee supports funding ATF at a level necessary to accomplish its missions.

FEDERAL PRISON SYSTEM

The Federal Bureau of Prisons (BOP) is responsible for the custody and care of federal offenders in prisons and community-based facilities, and BOP projects that it will be responsible for housing over 229,000 inmates by the end of 2013. The President's budget requested nearly \$7 billion for BOP for FY 2013—a 4 percent increase over FY 2012—and a similar increase will likely be necessary for FY 2014.

The BOP cannot control the number of inmates committed to its custody, and adequate resources are needed to assure the safety of inmates, employees, and visitors, while providing appropriate rehabilitation for offenders. Therefore, the Committee supports funding for BOP at a level that ensures that BOP can securely and humanely house all of the inmates in its care as well as fully activate its newly constructed prison facilities to add space for new inmates.

The Committee anticipates that the President will request nearly \$70 million for FY 2014 to activate the Thomson Prison. The Committee believes that any funding provided for prison activations must prioritize the activation and efficient use of the four prisons the federal government constructed before acquiring Thomson.

HEALTH CARE FRAUD

The Health Insurance Portability and Accountability Act (HIPAA) directed that the Department of Justice (DOJ) and the Department of Health and Human Services (HHS) establish a joint Health Care Fraud and Abuse Control (HCFAC) program. Funding to combat health care fraud is a sound investment from the standpoint of protecting our citizens and recapturing money obtained by criminals. Through these efforts, DOJ and HHS have obtained billions of dollars in recoveries and payments to the Medicare Trust Fund, returned to victim programs, and others, yielding a high Return-on-Investment for the HCFAC program. Therefore, the Committee urges appropriate funding for this program.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Committee supports the work of Federal Prison Industries, Incorporated (FPI). Statistics from the Bureau of Prisons reveal that inmates who participate in work programs are 24% less likely to offend again, 14% more likely to find work outside of prison, and 23% less likely to have misconduct issues in prison. With the recognition that budgetary restraints could impact funding, the Committee supports funding FPI at a level necessary to support its mission.

OFFICE OF VIOLENCE AGAINST WOMEN

The mission of the Office on Violence Against Women (OVW) is to provide federal leadership in developing the nation's capacity to reduce violence against women and to administer justice for—and strengthen services to—victims of domestic violence, dating violence, sexual assault, and stalking.

With the recognition that budgetary restraints could impact funding, the Committee recommends funding the Office on Violence Against Women at a level necessary to support its various missions.

COMMUNITY ORIENTED POLICING SERVICES

Recognizing current budgetary constraints, the Committee supports eliminating any inefficient spending in the COPS Hiring program and supports funding for this program at resulting appropriate levels.

OFFICE OF JUSTICE PROGRAMS

The Office of Justice Programs (OJP) works in partnership with the justice community to identify crime-related challenges confronting the justice system and to provide information, training, coordination, and strategies and approaches for addressing such challenges. OJP

administers grant funding in the areas of Research, Evaluation and Statistics; Juvenile Justice Programs; and State and Local Law Enforcement Assistance.

Aware of the need for the efficient use of taxpayer funds and to avoid duplication of grant awards, the Committee notes concerns raised by the Government Accountability Office (GAO) in July 2012¹ about overlap between grant programs.

The Committee anticipates that the President's FY 2014 budget submission will include language authorizing DOJ to waive the statutory cost-sharing requirements associated with a number of grant programs. The Committee is concerned about the impact of waiving cost-sharing requirements on the accountability of grantees and the cost-effectiveness of the programs involved.

Recognizing the current budgetary constraints, the Committee supports funding of OJP programs at levels appropriate to ensure efficiencies in program costs and effectiveness in program administration.

Byrne Justice Assistance Grants

The Byrne Justice Assistance Grants (Byrne JAG) program provides direct grants to states and local communities for a number of purposes, including funding local drug task forces. It is the only source of federal funding for multi-jurisdictional efforts to prevent, fight, and prosecute drug-related and violent crime.

With the recognition that budgetary restraints could impact funding, the Committee supports funding these programs at appropriate levels.

DNA Backlog Elimination

The Committee supports funding for DNA analysis and capacity enhancement and, recognizing current budgetary constraints, supports full funding for the Debbie Smith DNA Backlog Grant Program.

Juvenile Justice

This account includes programs that support state, local, and tribal community efforts to develop and implement effective and coordinated prevention and intervention juvenile programs. The objectives of these programs are to reduce juvenile delinquency and crime, improve the juvenile justice system so that it protects public safety, hold offenders accountable, and provide treatment and rehabilitative services tailored to the needs of juveniles and their families.

For FY 2013, recognizing current budgetary constraints, the Committee supports funding the Juvenile Justice programs at appropriate levels.

¹ GAO, *DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessments*, GAO-12-517 (Washington, D.C.: July 12, 2012).

Residential Substance Abuse Treatment

The Residential Substance Abuse Treatment (RSAT) program for state prisoners helps state and local governments develop, implement, and improve residential substance abuse treatment programs in correctional facilities, and provides community-based aftercare services for their probationers and parolees to assist them in remaining drug-free. The Committee supports funding the program at the appropriate level.

State Criminal Alien Assistance Program

State and local governments bear an immense fiscal burden as a result of incarcerating criminal aliens. Although control of our nation's borders is a federal responsibility, states and localities are only partially reimbursed for these expenditures.

Recognizing current budgetary constraints, the Committee believes that the State Criminal Alien Assistance Program (SCAAP) should be adequately funded to assist state and local jurisdictions.

Adam Walsh Act

The Adam Walsh Child Protection and Safety Act was enacted in 2006. Title I of the Act, the Sex Offender Registration and Notification Act (SORNA), established a comprehensive national system for the registration and notification to the public of those offenders. Funding for this program supports investments in registration and notification systems that will be necessary to implement SORNA's many requirements. With the recognition that budgetary restraints could impact funding, the Committee recommends funding the Adam Walsh Act at appropriate levels.

Crime Victims Fund

The Committee supports using the Crime Victims Fund for programs directly related to victim compensation and services.

With the recognition that budgetary restraints could impact funding, the Committee supports funding Services for Victims of Crime at appropriate levels.

Second Chance Act

The Second Chance Act of 2008 provides grants to establish and expand various adult and juvenile offender reentry programs and funds reentry-related research.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the Second Chance Act at appropriate levels.

National Criminal History Improvement and NICS Improvement Amendments Act

The National Criminal History Improvement Program (NCHIP) provides grants and technical assistance to help states and territories improve the quality, timeliness, and immediate accessibility of their criminal history and related records. NICS Improvement Amendments Act (NIAA) grants help to address gaps in the information available to National Instant Criminal Background Check System (NICS) by providing grants to States for the establishment or upgrade of information and identification technologies related to firearms purchasing eligibility determinations. The Administration proposed \$6 million in funding for the NCHIP program and \$5 million for NIAA grants for FY 2013.

The Committee supports increasing funding for NCHIP and NIAA grants, ideally through increased efficiencies derived from lower priority grant programs. The Committee recommends no less than \$8 million for NCHIP and no less than \$12 million for NIAA grants in FY 2014.

Mentally Ill Offender Act

The Mentally Ill Offender Treatment and Crime Reduction Reauthorization Improvement Act of 2008 reauthorizes funding for the Adult and Juvenile Collaboration Program grants. With recognition of current budget restraints, the Committee supports an appropriate level of separate funding for this program.

John R. Justice Prosecutor and Defender Incentive Act

The John R. Justice Prosecutor and Defender Incentive Act, enacted in 2008, authorizes funding for loan repayment assistance for state and federal public defenders and state prosecutors who commit for three years. With recognition of current budgetary restraints, the Committee supports an appropriate level of funding for this program.

DEPARTMENT OF COMMERCE

U.S. PATENT AND TRADEMARK OFFICE

The U.S. Patent and Trademark Office (USPTO) issues patents and registers trademarks, which provide protection to inventors and businesses for their inventions and corporate and product identifications. The agency also advises other government agencies on intellectual property issues and promotes stronger intellectual property protections in other countries.

The USPTO is funded through the imposition of user fees that are paid by individuals and businesses that file for patent and trademark protection. These fees are deposited in a special account at the Treasury. Although passage of the Leahy-Smith American Invents Act last Congress resulted in additional safeguards that allow the agency to devote all fees collected toward supporting operations, as a practical matter, the agency still must be appropriated fees collected through annual appropriations acts.

The Committee therefore supports full funding for USPTO.

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

The Department of Homeland Security's Customs and Border Protection (CBP) is the federal agency principally responsible for the security of the Nation's borders, at and between the ports of entry along the border and at our seaports and airports. The Committee supports CBP's various missions, including the work of Inspectors and Border Patrol agents who are an essential component of our immigration enforcement system and serve as a critical shield against those who would enter the U.S. unlawfully.

Recognizing current budgetary constraints, the Committee supports funding CBP at levels necessary to accomplish its various missions. The Committee also supports the use of funding for the addition and improvement of Border Patrol facilities.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security (DHS). Comprised of several components from the former Immigration and Naturalization Service (INS) and the U.S. Customs Service, the agency combines the investigative, detention and removal, and intelligence functions of the former INS with the investigative and intelligence functions of the former Customs Service. ICE's mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

Recognizing current budgetary constraints, the committee supports funding ICE at levels necessary to thoroughly accomplish its missions.

U.S. SECRET SERVICE

The Secret Service is primarily tasked with two law enforcement functions: handling protection and conducting criminal investigations. Criminal investigation activities encompass financial crimes, bank fraud, mortgage fraud, identity theft, counterfeiting, and computer fraud. The protection mission covers the President and Vice President, among others.

Recognizing current budgetary constraints, the Committee supports funding the U.S. Secret Service at a level necessary to accomplish its missions.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

United States Citizenship and Immigration Services (USCIS) administers the immigration service functions described in the Immigration and Nationality Act, such as adjudicating citizenship and immigration benefit applications and petitions.

Recognizing current budgetary constraints, the Committee supports funding USCIS at levels necessary to accomplish its various missions.

US-VISIT

The Committee has long supported sufficient funding to meet the entry-exit requirements mandated by Congress in 1996 in order to identify who is entering and exiting the U.S. and how long they stay in the country. The Committee supports the use of unobligated funds appropriated in previous years to proceed with implementation, but also recommends sufficient funding be provided to prioritize the development of an integrated master schedule for the full implementation of the legal mandate. With the recognition that budgetary restraints could impact funding, the Committee recommends that US-VISIT be funded at a level that will enable it to achieve full implementation.

DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF REFUGEE RESETTLEMENT (HHS)

The Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS) provides assistance and services to refugees, asylees, unaccompanied alien children, victims of human trafficking, and certain Amerasian, Iraqi, Afghan, Cuban, and Haitian immigrants. ORR assists these populations by providing a range of services, including cash and medical assistance, housing assistance, and economic and social integration services.

With the recognition that budgetary restraints could impact funding, the Committee recommends that ORR be funded at a level that will enable it to accomplish its goals.

OFFICE OF MANAGEMENT & BUDGET

U.S. OFFICE OF THE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR (US-IPEC)

Intellectual property theft presents a substantial threat and imposes significant harm, including major economic damage, on the United States. To address this problem, the Committee authorized, through the Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008 (P.L. 110-403), the creation of an Intellectual Property Enforcement Coordinator (IPEC) within the Executive Office of the President. The IPEC chairs an interagency intellectual property enforcement advisory committee, coordinates the development of the Joint Strategic Plan against counterfeiting and infringement and provides other assistance in the coordination of intellectual property enforcement efforts. The first IPEC was appointed in December 2009. The Committee again urges the Administration to provide a detailed plan to staff the office with permanent FTEs, appropriate resources and a travel budget. This plan will assist the Committee in determining what funding levels are necessary to meet the objectives of the PRO-IP Act.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the IPEC at the level necessary to enable the IPEC to fully execute her statutory duties.

FEDERAL TRADE COMMISSION

BUREAU OF COMPETITION

The Federal Trade Commission's Bureau of Competition shares jurisdiction to enforce the nation's antitrust laws with the Antitrust Division of DOJ. Recognizing current budgetary constraints, the Committee supports funding the Bureau of Competition at a level necessary to accomplish its mission.

OTHER ENTITIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

The Administrative Conference of the United States (ACUS) is an independent, nonpartisan agency that was created to analyze the federal administrative law process and to provide Congress, the President, the Judicial Conference of the United States, and federal agencies with recommendations and guidance. On July 19, 2011, the Committee ordered reported with an amendment H.R. 2480, authorizing appropriations for ACUS of not more than \$2.9 million for FYs 2012, 2013 and 2014. H.R. 2480 passed the House on August 1, 2011, and was ordered reported with an amendment by the Senate Judiciary Committee on September 22, 2011. It was not, however, enacted during the 112th Congress.

The President's FY 2013 budget requested \$3.2 million for ACUS. In anticipation that the President will renew or increase his request, and recognizing both current budgetary constraints and ACUS's mission to identify agency cost-saving measures, the Committee supports funding ACUS at a level necessary to accomplish its mission, but not more than \$2.9 million.

COMMISSION ON CIVIL RIGHTS

The Commission on Civil Rights was established by the Civil Rights Act of 1957, (P.L. 85-315), to serve as a bipartisan, fact-finding agency to investigate and report on the status of civil rights.

The Committee will examine the continuing mission of the Commission and its ability to perform core functions in its current configuration and level of funding. The Committee supports funding the U.S. Commission on Civil Rights at levels necessary to perform its mission.

COPYRIGHT OFFICE

The U.S. Copyright Office is required by statute to advise Congress, the judiciary and other federal agencies on domestic and international copyright law and policy, to participate in international meetings and events concerning copyright and to conduct studies and programs related to its duties. The U.S. Copyright Office is responsible for registering copyright claims and renewals, vessel hull designs, and mask works; recording assignments and related documents; acquiring U.S. copyrighted works for possible inclusion in the Library of Congress collections; creating and making available records of copyright ownership; and providing copyright information to the public. The Copyright Office is engaged in a multi-year project to meet its responsibilities in this digital age by making necessary technological upgrades to its systems and processes.

The Office is funded, in part, through the collection of fees received for services rendered. With the recognition that budgetary restraints could impact funding, the Committee supports funding for the Copyright Office at a level necessary for the Office to accomplish its various missions and necessary technology upgrades.

LEGAL SERVICES CORPORATION

The Legal Services Corporation (LSC) is a non-membership, non-profit corporation established by federal statute to provide funding for civil legal assistance to low-income Americans. For FY 2013 the President requested \$402 million to LSC. This would have been a 15.5% (\$54 million) increase from LSC's FY 2012 level of funding, which was set by Continuing Resolution at \$348 million (see P.L. 112-55, Title IV).

The Committee anticipates that the FY 2014 budget submission will include language, as it has in the past four preceding years, modifying the restrictions on LSC's activity—restrictions that were first put in place in the FY 1996 Appropriations Act. Eliminating these restrictions would allow LSC grantees, for example, to lobby; participate in rulemakings; and bring class-action lawsuits. The Chair and Ranking Member have different views on whether those and other restrictions should be removed.

LSC has not been authorized for appropriations for more than 30 years—since FY 1980. The Subcommittee on Regulatory Reform, Commercial and Antitrust Law intends to hold an oversight hearing on LSC in 2013, at which time the Subcommittee can examine LSC's progress towards implementing recommendations made by the Government Accountability Office and the LSC Inspector General for improving transparency and accountability.

With the recognition that budgetary restraints could impact funding, the Committee supports funding LSC at a level relative to FY 2013.

OFFICE OF GOVERNMENT ETHICS

The Office of Government Ethics (OGE) is responsible for providing the overall direction of executive branch policies designed to prevent conflicts of interest and to ensure high ethical

standards. In partnership with executive branch agencies and departments, OGE develops ethics training courses and other educational materials for government employees, conducts on-site reviews of existing ethics programs, and provides advice and guidance on the Standards of Ethical Conduct for Employees of the Executive Branch.

With the recognition that budgetary restraints could impact funding, the Committee supports funding OGE at a level necessary to accomplish its various missions.

STATE JUSTICE INSTITUTE

The State Justice Institute was established by federal law in 1984 to award grants to improve the quality of justice in State courts, facilitate better coordination between State and Federal courts, and foster innovative, efficient solutions to common issues faced by all courts.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the State Justice Institute at a level necessary for it to accomplish its mission.